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Date: August 29, 2005

I hereby certify that, on the date indicated above, I deposited this paper with identified attachments and/or fee with the U.S. Postal Service and that it was addressed for delivery to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 by "First Class Mail to Addressee" service.

Kim Blum  
Name (Print)

Kim Blum  
Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: Akikuni YAGITA	)	Examiner: Unassigned
Application No.: 10/528,509	)	Group Art Unit: Unassigned
Filed: March 18, 2005	)	Confirmation No.: Unassigned
Docket No.: 3190-077	)	Customer No.: 33432

For: IMMUNOTHERAPEUTIC AGENT FOR CANCER

**INFORMATION DISCLOSURE STATEMENT**  
**PURSUANT TO 37 CFR 1.97(b) and (c)**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

August 29, 2005

Sir:

The attention of the Patent and Trademark Office is hereby directed to the documents listed on the attached Form PTO-SB-08. Pursuant to the current United States Patent and Trademark Office rules, no copies of U.S. Patents/Patent Application Publications are provided.

This Information Disclosure Statement is being submitted after expiration of the three-month period following filing of the above-captioned application, but before an Office Action on the merits and before any Final Office Action or Notice of Allowance.

Should a first Office Action cross in the mail with the filing of this Information Disclosure statement, then applicants respectfully petition under 37 C.F.R. § 1.97(c) to consider the documents set forth in the Information Disclosure Statement.

Information Disclosure Statement  
U.S. Patent Application No. 10/528,509

The undersigned hereby certifies that each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.

In lieu of English translations of the non-English documents, the International Search Report which cited the non-English documents is enclosed for the relevance of these documents.

The above information is presented so that the Patent and Trademark Office can, in the first instance, determine any materiality thereof to the claimed invention. *See* 37 CFR 1.104(a) and 1.106(b) concerning the PTO duty to consider and use any such information. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the documents cited in the attached Form PTO-SB-08 be made of record therein and appear on the first page of any patent to issue therefrom.

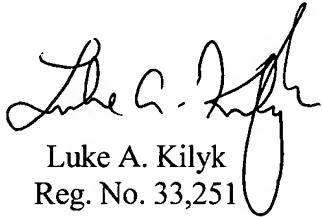
This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in this application and applicant determines that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

Information Disclosure Statement  
U.S. Patent Application No. 10/528,509

It is believed that no fee is required to make this a complete and timely filing. However, if it is determined that a petition or fee is required, the Commissioner is hereby authorized to charge any fee associated with this statement to our Deposit Account No. 50-0925 and please consider this a petition.

Respectfully submitted,



Luke A. Kilyk  
Reg. No. 33,251

Atty. Docket No.: 3190-077  
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Enclosures: Form PTO-SB-08 and 10 documents

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Substitute for form 1449A/PTO				<i>Complete if Known</i>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>				Application Number	10/528,509
				Filing Date	March 18, 2005
				First Named Inventor	Akikuni YAGITA
				Art Unit	Unassigned
				Examiner Name	Unassigned
Sheet	1	of	2	Attorney Docket Number	3190-077

#### **U.S. PATENT DOCUMENTS**

## **FOREIGN PATENT DOCUMENTS**

**\*EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. **<sup>1</sup>Applicant's unique citation designation number (optional).** **<sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04.** **<sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).** **<sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.** **<sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible.** **<sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.** **Burden Hour Statement:** This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

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Sheet	2	of	2	Attorney Docket Number	3190-077

## **NON PATENT LITERATURE DOCUMENTS**

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